

29 NOV 2011

GOVERNMENT OF SINGAPORE

In Reply, Please Quote Our Reference

Your Ref:

Our Ref :

Date : 24 Nov 2011

M/s Institute of Certified Public Accountants of Singapore
20 Aljunied Road
#06-02 CPA House
Singapore 389805

Attn: Mr Don Ho
Chairman, Insolvency Practices Committee

Dear Mr Ho,



**Insolvency &
Public Trustee's Office**
The URA Centre (East Wing)
45 Maxwell Road #06-11
Singapore 069118

*The Public Service Award for
Organisational Excellence:*



The Insolvency Service
Office of the
Official Assignee &
Official Receiver

Fax : 63251415

DID : 63251498

E-Mail : ching_wee_ling@ipto.gov.sg

REQUEST FOR ASSISTANCE / INFORMATION REGARDING THE FURNISHING OF SECURITY DEPOSITS BY PRIVATE LIQUIDATORS

I refer to the above matter.

2 The Official Receiver as the regulator of private liquidators is in the process of reviewing the security deposit to be furnished by private liquidators when they are appointed by the Court as liquidator of wound-up companies.

3 The furnishing of security deposit is a requirement under section 264(a) of the Companies Act (Cap 50)¹ which provides that where a private liquidator other than the Official Receiver is appointed upon the winding up of a company, the private liquidator shall not be capable of acting as liquidator until he has given security to the satisfaction of the Official Receiver. Generally, the security deposit is furnished in the form of a banker's guarantee or insurance bond.

4 We would greatly appreciate your assistance to disseminate the enclosed survey form to all your members so that they can share with us their knowledge and experience in this area.

¹ S264(a) Where in the winding up of a company by the Court, a person other than the Official Receiver, is appointed liquidator, that person —

(a) shall not be capable of acting as liquidator until he has notified his appointment to the Registrar and given security in the prescribed manner to the satisfaction of the Official Receiver



The Insolvency Service

MINISTRY OF LAW

Web Site: www.ipto.gov.sg

5 If you have any queries pertaining to the completion of the survey form, please contact Ms Ching Wee Ling at Tel No. : 65-63251498 or email at ching_wee_ling @ipto.gov.sg.

Thank you.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Ching Wee Ling', written in a cursive style.

MS CHING WEE LING
DEPUTY DIRECTOR (CORPORATE INSOLVENCY DIVISION)
for OFFICIAL RECEIVER

SURVEY FORM

The Official Receiver is conducting a survey on security deposit to be furnished by private liquidators when they are appointed by the Court as liquidator of wound-up companies under section 264(a) of the Companies Act (Cap 50).

Please let us have your feedback to the questions enclosed below. We will keep all information provided private and confidential.

The Official Receiver would greatly appreciate it if you could complete the survey form and send it back to the Official Receiver by any of the following modes:

- a **By Mail**
Insolvency and Public Trustee's Office
45 Maxwell Road, URA Centre (East Wing), #06-11, Singapore
069118
- b **By Fax**
Fax No: 65-63251415
- c **By Email**
Email Address: ching_wee_ling@ipto.gov.sg

If you have any queries pertaining to the completion of the survey form, please contact Ms Ching Wee Ling at Tel No. : 65-63251498 or email at ching_wee_ling @ipto.gov.sg.

The Official Receiver would appreciate a response by 22 Dec 2011.

1 **Information about Liquidator**

- a Name: _____
- b Designation: _____
- c Organisation: _____

2 Information Regarding the Security Deposit

- a What is your preferred mode of furnishing a security deposit other than providing a banker's guarantee? Cash
 Special insurance
 Insurance bond
 Others, please specify:

- b How should the security deposit be imposed? Individual case basis
 Individual liquidator basis
 Liquidator firm basis
- ci Based on your choice in (b), should the security deposit be a fixed or varied amount? Fixed amount
 Variable and based on estimated realizable value of assets as stated in the Statement of Affairs
- cii If the security deposit amount is fixed, what do you think should be a reasonable amount? _____
- ciii How do you derive at this amount? _____

- d Do you have a Professional Liability Insurance? Yes
 No

If your answer to the above question is "No", we thank you for participating, if your answer is "Yes", please proceed with the rest of the questions.

di What is the amount of annual insurance premium paid by you? _____

dii What is the amount of coverage of the insurance? _____

diii What is the other extent of coverage of the insurance besides fraud and negligence?

Monetary loss

Others, please specify:

3 Other Comments

We value your feedback, please give us your comments (if any) on the furnishing of a security deposit.

We greatly appreciate your time and effort in sharing the above valuable information with us.

Thank you.